

REMARKS/ARGUMENTS

Applicant would like to thank the Examiner for the careful consideration given the present application. The application has been carefully reviewed in light of the Office action, and this paper is filed in response thereto.

Claims 38-56 remain in this application. Claims 1-37 have been previously canceled.

Claims 1-56 were rejected under 35 U.S.C. §103(a) as being unpatentable over Hiroya *et al.* (U.S. 5,754,654) and Sasmazel *et al.* (U.S. 6,032,260) in view of Cogger *et al.* (U.S. 6,032,184). For the following reasons, the rejection is respectfully traversed.

Claims 1-37 were previously canceled. The Examiner has discussed the rejections of a number of these claims in detail, despite the fact that they were canceled, yet the Examiner failed to address the newly added claims in similar detail.

Claim 38 recites an electronic ticket processing system comprising a networked-linked electronic ticket including both an "electronic ticket" and a "network electronic ticket" different from the electronic ticket. The "electronic ticket" is for "providing a customer access to a commodity or a service" or "user admission to an event" whereas the "network electronic ticket" is different than the electronic ticket and is for "providing the customer access to access limited online information about the commodity or service or the event from an information providing apparatus on a network." The references, even if combined, do not teach these elements of the claim as limited by the explicit claim language.

The Examiner argues that an encrypted "hash number" of Sasmazel teaches the "network electronic ticket" of claim 38, because it is "different" from the electronic ticket. But the claim language requires more than just that they be *different*, as claim 38 explicitly requires that the "network electronic ticket" be for "providing the customer access to online information about

the commodity or service or the event from an information providing apparatus on a network.”

It is not enough to just provide information, the claim language clearly requires that the information be *about the commodity or service or event being accessed by the use of the electronic ticket*. The two items are explicitly related in the manner defined by the claims.

Sasmazel does not discuss any commodity, service, or event, and thus it cannot teach providing access to information about the commodity, service, or event that the reference is silent about. Thus, Sasmazel clearly does not suggest the network electronic ticket as limited by the claim language.

Furthermore, neither Hiroya nor Cogger suggest any network electronic ticket. Thus, the combination of references does not teach all of the claim limitations, as required by MPEP §2143.03 (the combination of prior art reference(s) must teach or suggest all of the claim elements and/or claim limitations for an obviousness rejection), and thus even if combined, the references do not teach all of the explicitly recited claim limitations.

Finally, the Examiner has still failed to support a prima facie case of obviousness. The burden is on the Examiner to make a prima facie case of obviousness (MPEP §2142). To support a prima facie case of obviousness, the Examiner must show that there is some suggestion or motivation to modify the reference (MPEP §2143.01). The mere fact that references can be combined or modified, alone, is not sufficient to establish prima facie obviousness (*Id.*). The prior art must also suggest the desirability of the combination (*Id.*). The fact that the claimed invention is within the capabilities of one of ordinary skill in the art is not sufficient, by itself, to establish prima facie obviousness (*Id.*).

Instead, in response to being challenged on this point in previous responses, the Examiner merely again lists benefits found in each of the references for practicing that reference. This is

hardly a motivation to combine the reference with another reference. Such an interpretation of motivation would make every reference self-motivating, because all references teach some benefit!

For example, the Examiner states that it would be obvious to modify the Hiroya reference to add practices taught by the Sasmazel reference because “this would prevent a trouble on whether the electronic money and the electronic ticket are given or received actually (sic).” This statement is nothing more than a generalized summary of the benefits taught by Sasmazel.

Further, the statement is not even related to the purpose of the network electronic ticket as recited in claim 38, which is to provide information about a commodity, service, or event that has been, is being, or will be accessed by the electronic ticket. There is nothing in this claim language that is related to preventing “trouble,” and thus, even if one were motivated for the reason discussed by the Examiner, one would not arrive at the invention by such motivation, because that motivation would not lead to any modification to provide *information* as in the claimed invention.

Likely recognizing this problem, the Examiner attempts to add an additional motivation for providing the online information discussed above. The Examiner states that Cogger discloses a Web based customer care in which a “trouble ticket or electronic ticket has been used for allowing a customer to remotely access a service provider” and that it would have been “obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of Hiroya and Sasmazel by including the limitation above as taught by Cogger because this would allow the customer to access and display the online information.”

But Cogger was not cited for teaching the network electronic ticket. Instead, Cogger teaches that a “trouble ticket” is generated when a user requests a service. (see passages cited in

the Office action). The “trouble ticket” is in response to a service request, but is not in response to an electronic ticket. See Figs. 5 and 12. The “trouble ticket” of Cogger is nothing more than a way to track the progress of the service request. It is not used to obtain access limited information about a commodity, service, or event that is accessed using an electronic ticket.

One skilled in the art would not be motivated to add the “trouble ticket” feature of Cogger to the other references because none of the other references are concerned with tracking the performance of a service request, and Cogger is not concerned with using an electronic ticket for access to a service, commodity, or an event.

The Examiner also argues that the motivation does not need to be obtained from the reference, that instead the motivation can be provided by an “explanation based on logic and sound reasoning.” But the Examiner fails to provide any such explanation. Thus, there is no motivation for the combination.

Accordingly, for this reason, the rejection cannot stand and should be withdrawn, thus making claim 38 patentable over the references for this reason as well.

Claim 39 also contains limitations similar to those of claim 38, and thus is patentable over the reference for the same reasons discussed for claim 38, above.

Further, claim 39 recites a “mobile user terminal for communicating with the service server for purchasing the networked-linked electronic ticket” (lines 13-15) an “information server for communicating with the mobile user terminal for checking the network electronic ticket before providing information to the mobile user terminal via the public network” (lines 16-19) and a

“gate terminal for communicating with the mobile user terminal and for automatically checking the electronic ticket before providing the customer access to the commodity, the service, and/or user admission to the event”

The Examiner has repeatedly failed to address these claim limitations, despite being reminded of them in prior office actions. Claims 40 and 41, being directly or indirectly dependent on claim 39, are patentable for at least the same reasons as claim 39 (as well as for the limitations contained therein).

Claims 42 and 43 contain one or more limitations similar to those discussed above, and thus are patentable for at least the same reasons as discussed herein. Claims 44–56 have features similar to those discussed for claim 38 above, or additional features, not found in the references.

For example, claim 44 recites “authentication information for authentication processing with the provider” and “authentication information for authentication processing when receiving the online information service.” None of the references suggest both of the authentication information as recited in the claim.

Instead, the Examiner cites only a teaching for “authentication information for authentication processing with the provider” and has failed to show any teaching of “authentication information for authentication processing when receiving the online information service.” Thus, claim 44 is patentable over the references, as are claims 45–46, which depend on claim 44.

Claim 47 recites “reservation information which can be changed by the online information service.” The Examiner has failed to show that any of the references teach such reservation information that can be changed by an online information service. Thus, claim 47 is patentable over the references.

Furthermore, claim 48 recites a “a service server secret key for digital signature of the network-linked electronic ticket.” Hiroya and Sasamazel do not teach an electronic ticket having an secret key, and Cogger merely teaches web-based customer service. Accordingly, these claims

are also patentable over the references. Claims 49–51, which depend on claim 48, are patentable over the references for at least the same reasons as claim 48.

Claim 52 recites:

information service reception means for receiving an online information service from the provider, wherein

the information service reception means performs the steps of:

authentication processing with the provider by using first authentication information which is contained in the network-linked electronic ticket;

accessing the provider by using identification information of the provider which is contained in the network-linked electronic ticket; and

performing authentication processing when receiving the online information service by using second authentication information which is included in the network-linked electronic ticket

The cited references fail to suggest these limitations of the claim, and the Examiner has failed to discuss the limitations of first authentication information and second authentication information. Thus, claim 52 is patentable over the references. Claims 53–56, which depend on claim 52, are patentable for at least the same reasons as the parent claims.

Finally, applicant's representative would like to note that most of these arguments about the shortcomings of the Examiner's rejections have been previously submitted, but the Examiner has failed to address them.

In light of the foregoing, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

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If there are any additional fees resulting from this communication, please charge same
to our Deposit Account No. 16-0820, our Order No. 32808.

Respectfully submitted,
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